



ADMINISTRATIVE PROCEDURE

ADMINISTRATIVE PROCEDURE NO: AP 311.02

RELATED TO POLICY NO. 311

TITLE: COMPENSATION AND BENEFITS

I. Overtime Approval

All overtime must be pre-approved in writing by the supervisor. The supervisor will document the date overtime is approved on the Individual Overtime Hourly Time Report Form.

II. Overtime Documentation

Employees will document overtime worked on the Individual Overtime Hourly Time Report form. Supervisors will enter the date the overtime was approved on this document. The employee, supervisor, dean/director, and vice president will sign the form.

A timesheet can be construed as a legal document. Timesheets shall:

- be completed and signed by the employee.
- be reviewed and approved by the supervisor.

Any corrections should be made by the employee and initialed. Supervisors shall never alter an employee's time to reduce the amount owed to him or her. This is construed as "wage theft" and shall result in immediate discipline to the supervisor, up to and including termination.

III. Overtime Agreement

The Collective Bargaining Agreement between UCC and the Association of Classified Employees of Umpqua Community College shall be followed for determining work hours for which the classified employees will be paid overtime or given compensatory time. Overtime is paid for work in excess of forty (40) hours per week.

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IV. Exclusions

Sick leave time, vacation and holiday time are excluded from counting toward the forty (40) hour maximum. For example, if Monday is a paid holiday, and your employee works 8 hours per day on Tuesday, Wednesday, and Thursday and 10 hours on Friday, your employee has worked a total of 34 hours. The employee is not entitled to 2 hours of overtime pay.

V. Work Week

All work above the forty (40) hour maximum during the regular seven-day (168-hour) work week designated by the employer shall be paid at time and one-half of the employee's regular rate of pay except when such time is a result of a scheduled shift change. UCC's work week is 12:00 am Sunday through 11:59 pm Saturday.

VI. Compensatory Time

If the College determines that budgeted funds are not available for the payment of overtime, such overtime shall be paid in compensatory time off at time and a half. The employee will have up to one year from the time of earning compensatory time to utilize the compensatory time. Written records of accumulating and using compensatory time will be maintained by the supervisor and signed off by the employee and supervisor at the time compensatory time is earned and used.

VII. Work Not Requested

The US Department of Labor says the definition of the term "employ" includes "to suffer or permit to work." Work not requested but suffered or permitted to be performed is work time that must be paid for by the employer. For example, an employee may voluntarily continue to work at the end of the shift to finish an assigned task or to correct errors. The reason is immaterial. The hours are work time and are compensable.

Overtime that is not pre-approved by a supervisor must still be paid, but the employee may be disciplined for violating policy.

VIII. Rest and Meal Periods:

Oregon law requires rest periods for employees who are covered by overtime rules. In accordance with the ACEUCC contract, full time employees are entitled to two paid fifteen-minute rest breaks. Employees working less than eight hours per day are entitled to a fifteen minute break during each four

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hour work period. These short periods must be counted as hours worked. Unauthorized extensions of authorized work breaks need not be counted as hours worked when the employer has expressly and unambiguously communicated to the employee that the authorized break may only last for a specific length of time, that any extension of the break is contrary to the employer's rules, and any extensions of the break will result in disciplinary action. (Breaks are covered in the CBA Article XVII.B.)

Bona fide meal periods (typically thirty (30) minutes to one hour) generally need not be compensated as work time (CBA Article XVII.C.). The employee must be completely relieved from duty for the purpose of eating regular meals. The employee is not relieved if he/she is required to perform any duties, whether active or inactive, while eating.

IX. Working Off the Clock

Employees shall report and document all hours worked. They shall not work any hours off the clock. If the supervisor knows, or has reason to know, that an employee may have worked off the clock, even if the employee has not said anything, the supervisor shall report the incident to Human Resources. HR staff shall talk with the employee and determine whether the employee performed any off-the-clock work and how much time is involved. An appropriate wage adjustment shall be made. Payment may be owed for off-the-clock work, even if the employee does not become eligible for overtime.

If employees have any concerns regarding working off the clock they should contact their supervisors and/or Human Resources. Employees who report working off the clock concerns will be protected from retaliation.

X. Telework

Supervisors shall clearly state and document whether and when classified employees may work remotely, such as checking e-mail and using smart phones, and shall ensure that time is properly documented and paid.

There may be times when nonexempt employees need these devices, so set limits as to when they can use the devices and pay them appropriately. For example, you might set a specific block of time outside of working hours when an employee away on business can use his or her BlackBerry.

If supervisors have reason to know an employee may have done work remotely, they shall speak with the employee and pay him or her accordingly.

If you have other questions about overtime, please contact Human Resources.

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DATE OF ADOPTION:

DATE(S) OF REVISION(S): 02/28/13

DATE OF LAST REVIEW: